

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
BEAUMONT DIVISION

WHILLEY DAVIS §  
VS. § CIVIL ACTION NO. 1:24cv347  
JOHN DOE §

**MEMORANDUM ORDER ADOPTING THE MAGISTRATE  
JUDGE'S REPORT AND RECOMMENDATION**

Plaintiff Whilley Davis, an inmate at the Clements Unit, proceeding *pro se*, brought this civil rights suit pursuant to 42 U.S.C. § 1983.

The Court referred this matter to the Honorable Christine L. Stetson, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this Court. The magistrate judge recommends dismissing this action without prejudice.

The Court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such referral, along with the record, pleadings and all available evidence. A copy of the Report and Recommendation was mailed to Plaintiff at the address provided to the Court. Plaintiff acknowledged receipt of the Report on October 23, 2024. No objections to the Report and Recommendation of United States Magistrate Judge have been filed.

**O R D E R**

Accordingly, the findings of fact and conclusions of law of the magistrate judge are correct and the Report and Recommendation of Magistrate Judge is ADOPTED. A separate

Final Judgment will be entered in this case in accordance with the magistrate judge's recommendations.

**SIGNED** this 16th day of December, 2024.

*Michael J. Truncale*  
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Michael J. Truncale  
United States District Judge